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United Nations

Report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council

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Supplement No. 47

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[9 October 2008]

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Chapter I
Introduction

1. By its resolution 48/26, the General Assembly decided to establish an open-ended working group to consider all aspects of the question of increase in the membership of the Security Council and other matters related to the Council.

2. The Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council began its deliberations in January 1994. The Working Group submitted progress reports to the General Assembly at its forty-eighth to sixty-first sessions. At those sessions, the Assembly extended the mandate of the Working Group.

3. On 23 November 1998, the General Assembly adopted resolution 53/30 in connection with the agenda item of the Working Group entitled "Majority required for taking decisions on Security Council reform".

4. In the United Nations Millennium Declaration, Heads of State and Government resolved, with respect to the ongoing deliberations on Security Council reform, to intensify their efforts to achieve comprehensive reform of the Council in all its aspects (see General Assembly resolution 55/2, para. 30).

5. In the 2005 World Summit Outcome of 16 September 2005, Heads of State and Government expressed support for early reform of the Security Council and recommended that the Council continue to adapt its working methods (see General Assembly resolution 60/1, paras. 153 and 154).

6. Following the deliberations of the Working Group, the General Assembly, by its decision 61/561, decided that the Working Group should continue its work and should submit a report to the Assembly before the end of its sixty-second session, including any agreed recommendations. The Assembly also decided to consider the issue of Security Council reform, including through intergovernmental negotiations. The present report is submitted pursuant to decision 61/561.

Chapter II
Sixty-second session of the General Assembly

7. During the general debate of the General Assembly at its sixty-second session, held from 25 September to 3 October 2007, many Heads of State and Government and other high-level representatives of Member States expressed the views of their Governments on the reform of the Security Council.

8. Member States also expressed their views on the reform of the Council when the General Assembly discussed the item entitled "Question of equitable representation on and increase in the membership of the Security Council and related matters" (agenda item 122) from 12 to 14 November 2007 (see A/62/PV.47-51). Member States expressed their views on various options to bring the process forward and also encouraged the President of the General Assembly to take leadership in this regard. In his concluding remarks on the item, the President presented seven principles to serve as guiding principles for the advancement of the process of Security Council reform (A/62/PV.51).

Chapter III
Proceedings of the Open-ended Working Group during the sixty-second session of the General Assembly

A. Organizational matters

9. The President of the General Assembly, Srgjan Kerim, served as Chairperson of the Working Group.

10. On 14 December 2007, the Chairperson appointed Ambassador Ismat Jahan (Bangladesh), H.E. Heraldo Muñoz (Chile) and H.E. João M. Guerra Salgueiro (Portugal), as members of the task force established by the Chairperson, to interact with all Member States and to report back to him on the outcome of their consultations.

11. On 10 April 2008, the Chairperson also appointed H.E. Roble Olhaye (Djibouti) as a member of the task force.

B. Meetings, informal meetings and consultations of the Working Group

12. In his letter dated 6 December 2007, the President of the General Assembly invited Member States to focus their interventions on identifying concrete elements of negotiables that could form the basis for intergovernmental negotiations, having in mind, in particular, the report of the Open-ended Working Group to the Assembly at its sixty-first session[1] and the positions and proposals of Member States.

13. At the 1st and 2nd meetings of the Working Group, on 14 December 2007, the Chairperson announced the appointment of the task force. Pursuant to those meetings, Member States were invited to identify negotiables that could serve as a basis for intergovernmental negotiations.

14. In his letters dated 3 and 9 April 2008, the Chairperson of the Open-ended Working Group forwarded to Member States the replies he had received in writing, reflecting various elements of the negotiables as well as views on the process and the way forward from delegations, as well as the following regional and interest groups: the Group of African States; the Organization of the Islamic Conference; the "Overarching Group"; and "Uniting for Consensus" (see annex II to the present report).

15. At the 3rd and 4th meetings of the Working Group, on 10 April 2008, Member States discussed various elements contained in the written contributions and reaffirmed the leadership of the Chairperson, acting together with the task force. The Chairperson announced that under his leadership, the task force would engage in extensive consultations with Member States in order to assess the current situation and to identify options in order to move forward with the reform of the Security Council.

16. The task force consulted extensively in an objective, transparent and all-inclusive manner with all Member States in various formats, through their

[1] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 47* (A/61/47).

regional groups, interest groups or individually, from the end of April to the beginning of June 2008. As a result of those consultations, on 9 June 2008 the task force submitted to the Chairperson a report entitled "Report of the Vice-Chairpersons to the President of the General Assembly on the question of equitable representation on and increase in the membership of the Security Council" (see annex I to the present report).

17. In his letter dated 11 June 2008, the Chairperson of the Open-ended Working Group forwarded the above report to Member States.

18. In his letter dated 13 June 2008, the Chairperson of the Open-ended Working Group forwarded the letter of the Chairperson of the League of Arab States containing a request for its position to be considered on an equal footing with the other written inputs provided so far, as well as the original positions concerning the issue of the Security Council reform (see annex II, sect. C).

19. At the 5th and 6th meetings of the Working Group, on 17 June 2008, Member States discussed the report. In his concluding remarks, the Chairperson called upon Member States to cooperate closely in order to bring about an agreement on the adoption of a decision to move the process forward to the stage of commencing intergovernmental negotiations.

20. At its 7th and 8th meetings, on 2 September 2008, the Working Group considered its draft report to the General Assembly (A/AC.247/2008/L.1), submitted by the Chairperson. In his concluding remarks, the Chairperson invited Member States to put forward amendments to conduct intensive and constructive consultations with the members of the task force in order to reach an agreement on the recommendations.

21. At its 9th to 12th meetings, on 10, 12 and 15 September 2008, the Working Group considered its draft report to the General Assembly (A/AC.247/2008/L.1/Rev.1 and Rev.2), as orally revised, submitted by the Chairperson.

C. Adoption of the report of the Working Group

22. At its 13th meeting, on 15 September 2008, the Working Group considered and adopted the present report.

Chapter IV
Recommendations

23. The Open-ended Working Group decided to recommend that consideration of the item be continued at the sixty-third session of the General Assembly. The Working Group, recalling Assembly decision 61/561 and the progress made during the sixty-first and sixty-second sessions, recommends to the Assembly the adoption of the following draft decision:

> The General Assembly, recalling its previous resolutions and decisions relevant to the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council, mindful of Chapter XVIII of the Charter of the United Nations and of the importance of reaching general agreement as referred to in resolution 48/26 of 3 December 1993, in resolution 53/30 of 1 December 1998 and in decision 61/561 of 17 September 2007 on the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Council as well as the ratification process of any amendment to the Charter of the United Nations as stipulated in its Article 108, and taking note of the seven principles presented by the President of the General Assembly to serve as guiding principles for the advancement of the Security Council reform,[1]
>
> (a) Takes note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council on its work during the sixty-second session of the General Assembly;[2]
>
> (b) Notes with appreciation the Chairperson's initiative and efforts in the process of a comprehensive reform of the Security Council, as well as the work done by the Vice-Chairpersons;
>
> (c) Decides, building on the progress achieved so far, in particular during its sixty-first and sixty-second sessions, as well as the positions of and proposals made by Member States to continue immediately to address within the Open-ended Working Group the framework and modalities in order to prepare and facilitate intergovernmental negotiations on the question of equitable representation and increase in the membership of the Security Council and other matters related to the Council. The Chairperson of the Open-ended Working Group would present the results of these consultations to an informal plenary session of the General Assembly, no later than 31 December 2008;
>
> (d) Also decides, taking note of the results achieved so far in the Open-ended Working Group, and building on the progress achieved so far, in particular during its sixty-first and sixty-second sessions, as well as the positions of and proposals made by Member States, to commence intergovernmental negotiations in informal plenary of the General Assembly during its sixty-third session, but not later than 31 January 2009, based on

[1] See A/62/PV.51.

[2] To be issued as *Official Records of the General Assembly, Sixty-second Session, Supplement No. 47* (A/62/47).

proposals by Member States, in good faith, with mutual respect and in an open, inclusive and transparent manner, on the question of equitable representation and increase in the membership of the Security Council and other matters related to the Council, seeking a solution that can garner the widest possible political acceptance by Member States;

(e) Further decides that the following form the basis for the intergovernmental negotiations:

(i) The positions and proposals of Member States, regional groups and other Member States groupings;

(ii) The five key issues: categories of membership, the question of the veto, regional representation, size of an enlarged Council and working methods of the Security Council, and the relationship between the Council and the General Assembly;

(iii) The following documents: report of the Open-ended Working Group on its work during the sixty-first session of the General Assembly;[3] General Assembly decision 61/561 and the report of the Open-ended Working Group on its work during the sixty-second session of the General Assembly;[2]

(f) Decides that the Open-ended Working Group should continue to exert efforts during the sixty-third session of the General Assembly aimed at achieving general agreement among Member States in the consideration of all issues relevant to the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Council, taking into account the progress achieved from the forty-eighth to sixty-second sessions of the Assembly;

(g) Also decides that the Working Group should submit a report to the General Assembly before the end of its sixty-third session, including any agreed recommendations.

[3] Ibid., *Sixty-first Session, Supplement No. 47* (A/61/47).

Annex I

Report of the Vice-Chairpersons to the President of the General Assembly on the question of equitable representation on and increase in the membership of the Security Council

Letter dated 11 June 2008 from the President of the General Assembly to all Permanent Missions and Permanent Observer Missions to the United Nations

Please find enclosed the document entitled "Report of the Vice-Chairpersons to the President of the General Assembly on the Question of Equitable Representation on and Increase in the Membership of the Security Council", which was submitted to me on 9 June 2008 (see enclosure).

I wish to take the opportunity to thank the four Vice-Chairpersons for their extensive consultations with Member States and for outlining the current situation and the options to move forward with the reform of the Security Council.

I would also like to inform you that I will convene the third session of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council on Tuesday, 17 June 2008, at 10 a.m. and 3 p.m., in the Economic and Social Council Chamber. I would appreciate hearing your comments and discussing the next steps on Security Council reform.

(*Signed*) Srgjan **Kerim**

Enclosure

Report of the Vice-Chairpersons to the President of the General Assembly on the question of equitable representation on and increase in the membership of the Security Council

I. Introduction

1. Since the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council held its last session, in April 2008, the four Vice-Chairpersons of the task force designated by the President of the General Assembly have consulted extensively with the membership. The purpose was to reach out to all Member States, through their regional groups, major interest groups or individually, and to listen to their recommendations on how to move forward at this stage of the process of Security Council reform.

2. Many Member States have reaffirmed their original positions, while some have evolved or refined their stands, including through public statements at the highest political levels (see sect. III below). All have expressed their disposition to enter into intergovernmental negotiations, some expressing the view that their preferred positions could lead to compromise options, but as an outcome of the eventual negotiations.

3. In general terms, there continues to be a common understanding that the Security Council in its current composition does not reflect international reality and thus needs to be adequately rebalanced. The status quo with regard to the composition of the Security Council is at present judged to be unrealistic. Both the expansion of the Council and the reform of its working methods are seen as important to the wide membership of the Organization. In addition, reform of the Council is considered to be an integral part of the overall United Nations reform process.

II. Framework and modalities

4. Numerous Member States have expressed their desire to clarify the framework and the modalities that would guide the eventual process of intergovernmental negotiations; that is, there is a demand by some to clarify the rules of the eventual negotiations.

5. In accordance with General Assembly resolution 48/26, the Open-ended Working Group is the forum for the consideration of all issues pertaining to Security Council reform, including the identification of the negotiables in order to move forward to intergovernmental negotiations. In its decision 61/561, the Assembly urged the Working Group to exert efforts during the sixty-second session "aimed at achieving general agreement among Member States in the consideration of all issues relevant to the question" of Security Council reform. Whether "general agreement" on this matter is achieved or not, the General Assembly, being a sovereign body, may decide at some point to shift the consideration of the reform process to the

plenary meetings of the Assembly. It is understood that any decision on Security Council reform should be taken by the Assembly.

6. As far as the modalities are concerned, Member States have insisted upon and agreed that consultations and eventual intergovernmental negotiations should be conducted in an open, transparent and inclusive manner. Such an approach may take the form of further sessions of the Open-ended Working Group, consultations with regional groups and major interest groups and in other informal settings on the understanding that any decision on the matter must involve the entire membership of the General Assembly.

7. The seven principles or pillars proposed by the President of the General Assembly, and widely accepted by Member States, also constitute an integral part of the framework and modalities. While understanding that the seven pillars constitute an integrated whole, for procedural purposes, principles three and four, which state, respectively, that "the way forward ought to be accomplished through an objective and transparent process to first identify the negotiables in order to then move to the intergovernmental negotiations", and that "the Open-ended Working Group should carry out consultations on the framework and the modalities for intergovernmental negotiations", should be recalled. The present paper seeks to advance decisively in this sense.

III. The present state of play

8. After intense rounds of consultations, the task force has concluded that none of the written contributions offered thus far have gathered sufficient support as a basis for launching intergovernmental negotiations. Despite the apparent progress perceived in the reports of the facilitators to the sixty-first session of the General Assembly (A/61/47, annexes I and II), it should be recalled that the Assembly, in paragraph (d) of its decision 61/561, adopted by consensus, stated that "further concrete results may be achieved, including through intergovernmental negotiations, building on the progress achieved so far, particularly at the sixty-first session, as well as the positions of and proposals made by Member States". Positions among major interest groups have not moved significantly, despite stated expressions of disposition to act with flexibility and a general recognition that Security Council reform would necessarily require compromise.

A. Original positions

9. The following options, in summary format, have been presented by regional groups and major interest groups.

African Group (A/60/L.41)

10. Enlarge the Security Council in both the permanent and non-permanent categories and improve its working methods. Grant Africa two permanent seats, including the right of veto, and five non-permanent seats, thus increasing Security Council membership from 15 to 26, with the 11 additional seats to be distributed as follows: (a) two permanent seats and two non-permanent seats for African States; (b) two permanent seats and one non-permanent seat for Asian States; (c) one non-permanent seat for Eastern European States; (d) one permanent seat and one

non-permanent seat for Latin American and Caribbean States; and (e) one permanent seat for Western European and other States.

Group of Four (A/59/L.64)

11. Increase the membership of the Security Council from 15 to 25 by adding six permanent and four non-permanent members and improve the working methods of the Security Council. The six new permanent members of the Council shall be elected according to the following pattern: (a) two from African States; (b) two from Asian States; (c) one from Latin American and the Caribbean States; (d) one from Western European and other States.

12. The four new non-permanent members of the Security Council would be elected according to the following pattern: (a) one from African States; (b) one from Asian States; (c) one from Eastern European States; (d) one from Latin American and Caribbean States. The new permanent members would not exercise the right of veto until the question of the extension of the right of veto to new permanent members has been decided upon the framework of a review conference.

Uniting for consensus (A/59/L.68)

13. The Security Council would be expanded to 25 members, including the present five permanent members of the Security Council. The 20 non-permanent members of the Security Council would be elected according to the following pattern: (a) six from African States; (b) five from Asian States; (c) four from Latin American and Caribbean States; (d) three from Western European and other States; (e) two from Eastern European States.

14. Each of the five existing geographical groups, as identified above, would decide on arrangements among its members for immediate re-election or rotation of its members on the seats allotted to the Group; those arrangements would also address, as appropriate, a fair subregional representation and would also improve the working methods of the Council.

Small Five States (A/60/L.49)

15. Focused on working methods of the Security Council, this proposal invites the Council to consider the following measures to further enhance the accountability, transparency and inclusiveness of its work, with a view to strengthening its legitimacy and effectiveness:

(a) More substantive exchanges of views among the Security Council, the General Assembly and the Economic and Social Council;

(b) The Security Council should explore ways to assess the extent to which its decisions have been implemented;

(c) The subsidiary bodies of the Security Council should include in their work, on a case-by-case basis, non-members with strong interest and relevant expertise;

(d) A permanent member of the Security Council using its veto should explain the reason for doing so;

(e) The Security Council should ensure that all Member States are fully and promptly informed of all developments regarding its missions;

(f) In order to facilitate the integration of newly elected members of the Security Council, the Secretariat should prepare and disseminate a detailed briefing packet on the procedures, practices and work of the Council.

Transitional approach

16. Under the present state of affairs, Member States, while retaining their initial positions, may wish to explore new and emerging ideas concerning a transitional approach to Security Council reform. A transitional approach assumes an intermediary arrangement and should have as an integral component a mandatory review to take place at a predetermined date. Within the transitional approach there are different options and variations that Member States could further explore.

17. As regards categories, the transitional approach, without prejudice to the prospect of creating new permanent seats, could explore the creation of new non-permanent seats as well as an intermediate category. Member States may wish to consider, inter alia, the following variations of an intermediate category:

(a) Extended seats that could be allocated for the full duration of the intermediary arrangement, including the possibility of recall;

(b) Extended seats, which would be for a longer period than the regular two-year term, but with the possibility of re-election. The length of the terms as well as the re-election modalities should be decided in negotiations;

(c) Extended seats, which would be for a longer period than the regular two-year term, but without the possibility of re-election. The length of the term should be decided in negotiations;

(d) Non-permanent two-year seats with the possibility of immediate re-election.

B. New inputs and reaffirmed views

Uniting for Consensus
(5 March 2008)

- Uniting for Consensus welcomes the seven principles of the President of the General Assembly and "well-considered efforts to launch an effective 'joint venture' of all Member States in order to advance the process aiming at a Security Council reform".
- It proposes to "reach general agreement on an 'intermediate' solution to Security Council reform on the basis of the variations outlined in paragraph 9 of the report of the five facilitators at the sixty-first session of the General Assembly, and encompassing both the enlargement and working methods of the Council, without prejudice to the declared positions of all States/Groups".
- For the next steps: identify "negotiables" and elaborate a paper to serve as a basis for intergovernmental negotiations.

African Group
(Letter by the Chairman, 20 March 2008)

- Supports the efforts of the President of the General Assembly within the context of the Open-ended Working Group and welcomes the seven principles laid out by the President.
- Following the decision of the Assembly of the African Union (31 January-2 February 2008) Permanent Representatives in New York have been directed "to participate in the intergovernmental negotiations on the basis of Ezulwini Consensus and Sirte Declaration".
- Continued readiness to work and cooperate with the President of the General Assembly, addressing both the framework and modalities, which "could lead to intergovernmental negotiations that take into account the positions and aspirations of various stakeholders and lead to the widest possible agreement".

Organization of the Islamic Conference
(Final communiqué of the eleventh session of the Islamic Summit Conference, 13 and 14 March 2008)

- The Conference reaffirmed its decision that any reform proposal which neglects the adequate representation of the Muslim Ummah in any category of membership in an expanded United Nations Security Council will not be acceptable to the Muslim world.
- The Conference requested the open-ended contact group of the Organization of the Islamic Conference on United Nations reform and expansion of the Security Council at United Nations Headquarters in New York to continue to closely coordinate the positions of its Member States in order to promote the comprehensive reform of the Security Council and ensure the equitable representation of those countries in any categories of the enlarged Security Council in proportion to their membership of the United Nations.
- The efforts at restructuring the Security Council should not be subjected to any artificial deadline and a decision on this issue should be made by consensus.

Draft presented by the Permanent Representative of Cyprus
(20 March 2008)

- Aims at giving a sense of direction for the future, on the basis of the reports of the facilitators and other progress achieved during the sixty-first session of the General Assembly.
- "While the legitimate positions officially tabled in 2005 are retained by their proponents, their lack of potential realization at this juncture has pointed to an apparent willingness to negotiate on the basis of achieving intermediate reform through the identification of the highest common denominator at this stage."
- For the purpose of achieving such intermediate reform, the scope of the negotiations would be narrower, focusing on points of convergence in the short-term rather than divisive elements.
- The Security Council shall be enlarged to [22] members with different options of distribution of seats and categories.

- "The election of Member States in all new seats will be subject to regular election procedures by two-thirds majority at the General Assembly in accordance with Article 18 of the Charter of the United Nations."
- "Reform should include mandatory review after a fixed period of time, the exact duration of which must be determined before the reform comes into force and will form an integral part of the reform package."
- In addition to the enlargement, the General Assembly could simultaneously recommend concrete improvements of Security Council working methods, including those contained in document S/2006/507.

Joint Summit declaration of the United Kingdom of Great Britain and Northern Ireland and France (27 March 2008)

- The United Kingdom of Great Britain and Northern Ireland and France will act to reform the United Nations Security Council, which has primary responsibility for maintenance of international peace and security. In the same spirit of adapting institutions to the new realities of the world, the Security Council should be reformed to ensure that it better represents the world of today, while remaining capable to taking the effective action necessary to confront today's security challenges.
- Reform of the Security Council, both its enlargement and the improvement of its working methods, must therefore succeed. Reaffirm the support for the candidacies of Germany, Brazil, India and Japan for permanent membership, as well as for permanent representation for Africa on the Council.
- The United Kingdom and France regret that negotiations towards this goal remain in deadlock and are therefore ready to consider an intermediate solution. This could include a new category of seats, with a longer term than those of elected members and those terms would be renewable at the end of an initial phase; it could be decided to turn these new types of seats into permanent ones.
- The United Kingdom and France will work with all their partners to define parameters of such a reform.
- Security Council reform requires a political commitment from Member States at the highest level. The United Kingdom and France will work in this direction in the coming months with a view to achieving effective reform.

Other perspectives of the permanent five members

18. Despite a diversity of views among the permanent five member States regarding Security Council reform, there are some common elements that have been repeated to the task force or that have been expressed by high-level officials of their respective Governments.

19. All five permanent members have stated that the formula for increased membership of the Security Council should be based on a wide agreement and should not be divisive. China stresses the notion that any reform on the Council must be based on a "serious compromise". Likewise, the President of the Russian Federation, Dmitry Medvedev, stated recently: "The United Nations Security

Council needs to be reformed on the basis of broad consensus between the United Nations member countries. We value Germany's commitment to looking for compromise solutions in this respect that would not cause division within the organization" (Berlin, 5 June 2008). In the view of the United States, "no significant portion of the membership [should be] alienated by the result of [Security Council reform]" (statement by the United States Deputy Permanent Representative, Open-ended Working Group, 10 April 2008). Several members of the permanent five believe that the Open-ended Working Group is the appropriate forum to discuss the topics related to Security Council reform.

20. China supports greater participation by small and developing countries in an enlarged Security Council. Some permanent members have insisted that Security Council expansion must be realistic or "modest" as regards size. According to the United States, "only a modest expansion will ensure the Council's continued effectiveness" (10 April 2008). Some permanent members have underlined the importance of the qualifications contained in Article 23, paragraph 1, of the Charter of the United Nations for countries wishing to become members of the Council. The United States believes that "candidates for the longer-duration, whether intermediate seats or permanent members, must demonstrate a higher level of global leadership"; at the same time, it has insisted that any reform of the Council must be accompanied by increased effectiveness of the entire United Nations system.

21. Some permanent members feel strongly that working methods of the Security Council is a matter that should be addressed by the Council itself, as a principal organ of the United Nations, and permanent members have reaffirmed their opposition to any Security Council reform that would "tamper" with the veto right of the permanent members of the Council.

IV. No reform option

22. It should be recalled that deliberations aiming to reform the Security Council began in January 1994 and that, although the Working Group has made progress, particularly during its sixty-first session, positions as summarized above remain far apart. Moreover, a sense of frustration surrounds the negotiations at present stage.

23. We could eventually conclude, therefore, that there is simply not sufficient common ground to move the process forward towards fruitful intergovernmental negotiations. Member States should keep in mind that the present deadlock could culminate, in practical terms, in an indefinite postponement of the Security Council reform effort (even though the Open-ended Working Group might continue to meet).

24. Moving the process forward would require political willingness to compromise by engaging in intergovernmental negotiations based on sufficient elements to seek an agreed solution as the outcome.

V. Shifting the paradigm

25. Recent consultations have shown that the main source of disagreement has centred on the category of seats. There are a number of Member States, as described above, which assert that an expanded Security Council should include new permanent members, accompanied by new non-permanent members, while others

argue that the Council should be expanded solely through new non-permanent seats, eventually renewable.

26. Such a polarized discussion led, during the facilitation process in the sixty-first session of the General Assembly, to the suggestion that Member States might wish to consider a transitional or intermediary approach, including the creation of extended seats of various durations as a compromise option. However, many Member States have argued that such option could be the eventual outcome of an intergovernmental negotiation.

27. Instead of continuing along this track, Member States may wish to approach eventual negotiations from a timeline perspective; that is, to identify what may be achievable in the short term, during the remaining part of the sixty-second session, or during the sixty-third session, and what would be left could be revisited in a number of years through a mandatory review (in 10, 12 or 15 years, for example). Hence, no preferred position would be excluded a priori, no Member State or group would be obliged to forgo its position from the outset, but, with a sense of compromise, an effort would be made to negotiate reform that would be achievable at the earliest possible date. That solution would keep avenues open to all preferred options to be reconsidered at an agreed moment in the future.

28. Thus, Member States may wish to address which of the negotiables, basically the five key issues: categories of membership, the question of the veto, the question of regional representation, the size of an enlarged Council, and the working methods of the Security Council and the relationship between the Council and the General Assembly, may be fully or partially resolved in a short timespan or may have to be postponed for the mandatory review. For example, if an impasse should arise on the delicate question of the extension of veto in the short-term negotiations, it would be reasonable to refer it to the review. A meaningful review would seem to require an intervening period of between 10 to 15 years to allow for ratification and evaluation. At that time, the membership should be able to evaluate the Council's performance against the backdrop of structural trends in peace and security. The single defining characteristic of the timeline approach is the scheduling of a mandatory review, where the achievable arrangement would be evaluated and could be reshaped into a more permanent one, in the light of past experience.

VI. Towards intergovernmental negotiations

29. Security Council reform is at a crossroads. In order to move forward, compromise is needed — and the clock is running. The present report has outlined the negotiables and options that Member States may wish to consider with a view to intergovernmental negotiations.

30. We are convinced that a "big bang", an all-encompassing solution, is not possible, and that only a realistic approach that allows agreement on what is achievable in the near term, without excluding any preferred option to be revisited at an agreed time through a mandatory review, is the way to move forward.

31. It should be noticed that despite differences, Member States agree on a number of issues. For example, all Member States and interest groups have favoured an improvement in the working methods of the Security Council (if Member States were to agree on the launching of intergovernmental negotiations, they could use as

a basis the working methods section of the report of the facilitators of 19 April 2007). Member States also seem to agree that Security Council expansion should contemplate additional non-permanent seats, in accordance with Article 23, paragraph 2, of the Charter, in particular to accommodate the needs of small States (while it has also been suggested, through the Forum of Small States, that a provision should be considered which would prevent countries from presenting candidatures for both the new category, assuming a transitional approach, and the existing non-permanent category at the same time or in short intervals). Lastly, in order to contribute to moving the process forward, in the following appendix we have listed specific options on the category of seats, as well as their distribution, and the size of an enlarged Council, which Member States may want to consider.

(*Signed*) Ismat **Jahan**
Permanent Representative of Bangladesh to the United Nations

(*Signed*) Heraldo **Muñoz**
Permanent Representative of Chile to the United Nations

(*Signed*) Roble **Olhaye**
Permanent Representative of Djibouti to the United Nations

(*Signed*) João M. Guerra **Salgueiro**
Permanent Representative of Portugal to the United Nations

Appendix

Since differences remain on the category of seats and the size of an expanded Security Council, Member States may wish to consider the following options:

1. Twenty-two Members — of the seven new seats:

   - Two [extended or permanent] seats will be allocated to Member States of the African Group.
   - Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
   - One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
   - One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group, and
   - One non-permanent seat will be allocated to Member States of the Eastern European Group [and, on a rotating basis, to the Latin American and Caribbean Group].

2. Twenty-three Members — of the eight new seats:

   - Two [extended or permanent] seats will be allocated to Member States of the African Group.
   - Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
   - One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
   - One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group.
   - One non-permanent seat will be allocated to Member States of the Eastern European Group [and, on a rotating basis, to the Latin American and Caribbean Group].
   - One non-permanent seat will be allocated to Member States of the African Group.

3. Twenty-four Members — of the nine new seats:

   - Two [extended or permanent] seats will be allocated to Member States of the African Group.
   - Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
   - One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
   - One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group.

- One non-permanent seat will be allocated to Member States of the Eastern European Group [and, on a rotating basis, to the Latin American and Caribbean Group].
- One non-permanent seat will be allocated to Member States of the African Group.
- One non-permanent seat will be allocated to Member States of the Asian Group.

4. Twenty-five Members — of the 10 new seats:

- Two [extended or permanent] seats will be allocated to Member States of the African Group.
- Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
- One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
- One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group.
- One non-permanent seat will be allocated to Member States of the Eastern European Group.
- One non-permanent seat will be allocated to Member States of the African Group.
- One non-permanent seat will be allocated to Member States of the Asian Group.
- One non-permanent seat will be allocated to Member States of the Latin American and Caribbean Group.

5. Twenty-six Members — of the 11 new seats:

- Two [extended or permanent] seats will be allocated to Member States of the African Group.
- Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
- One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
- One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group.
- Two non-permanent seats will be allocated to Member States of the African Group.
- One non-permanent seat will be allocated to Member States of the Eastern European Group.
- One non-permanent seat will be allocated to Member States of the Asian Group.

- One non-permanent seat will be allocated to Member States of the Latin American and Caribbean Group.

Evidently, Member States may wish to consider an expansion of the Security Council that would add up to less than 22 members (no Member State or regional group has proposed a larger number than 26), taking into consideration factors such as work effectiveness and representation as well as the elements listed in Article 23, paragraph 1, of the Charter of the United Nations.

Annex II

Letters from the President of the General Assembly to all Permanent Missions and Permanent Observer Missions to the United Nations and inputs from Member States

A. Letter dated 3 April 2008 from the President of the General Assembly to all Permanent Missions and Permanent Observer Missions to the General Assembly

As a result of the meeting of the Open-ended Working Group on 14 December 2007, Member States have engaged during recent months in efforts to identify negotiables that can serve as a basis for future intergovernmental negotiations, and I am pleased to forward for your information the inputs that I have received in writing so far that reflect various elements of the negotiables as well as views on the process and the way forward from delegations and regional and interest groups.

Therefore, I wish to inform you that I will convene the third meeting of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council on Thursday, 10 April, at 10 a.m. in the Trusteeship Council Chamber.

(*Signed*) Srgjan **Kerim**

1. Letter dated 20 March 2008 from the Permanent Representative of Cape Verde to the United Nations* addressed to the President of the General Assembly

I would like to thank you for inviting me on 13 March, in my capacity as Chairman of the African Group, with two of my colleagues, for an exchange of views on the reform of the Security Council. As agreed at that meeting, and following consultations with the Group, I am writing regarding this important issue.

The African Group attaches great importance to this issue as an integral part of the reform of the United Nations and welcomes the priority you have attached to its consideration.

The African Group supports your efforts within the context of the Open-ended Working Group, and welcomes the seven principles you laid out following the last debate on 14 December 2007, as well as your initiative to establish the Task Force within which, like other Regional Groups, we are open to play an important role in order to take forward the process of Security Council reform. The African Group underscores the importance of transparency at every stage of the process.

As you may recall, the tenth ordinary session of the African Union Assembly, held in Addis Ababa from 31 January to 2 February 2008, adopted a decision on the reform of the United Nations (Assembly/AU/Dec.184 (X)), which, inter alia, directed the Permanent Representatives in New York to participate in intergovernmental negotiations on the basis of Ezulwini Consensus and Sirte Declaration.

In the light of the above, the African Group expresses its continued readiness to work and cooperate with you and encourages you to convene a meeting of the Open-ended Working Group, as indicated in your previous communication. This, we believe, would enable the membership of the United Nations to address both the framework and modalities that could lead to intergovernmental negotiations which take into account the positions and aspirations of various stakeholders and lead to the widest possible agreement.

(*Signed*) Antonio Pedro Monteiro **Lima**
Permanent Representative of Cape Verde to the United Nations

* On behalf of the States Members of the United Nations that are members of the Group of African States.

2. Letter dated 5 March 2008 from the Permanent Representative of Italy to the United Nations* addressed to the President of the General Assembly

Uniting for Consensus has welcomed your seven principles and well-considered efforts to launch an effective joint venture of all Member States in order to advance the process aiming at a Security Council reform. It is essential that you should continue to guide the process together with members of your task force.

Uniting for Consensus, after consultations with other Member States, proposes that the Open-ended Working Group start building on the progress made so far, in particular at the sixty-first session of the General Assembly, on Security Council reform. This progress was reflected in the two reports of the facilitators attached to the previous annual report of the Working Group. We should therefore harvest the results achieved so far by working on the conclusions and recommendations of the reports. However, in order to lay the groundwork for successful negotiations, Uniting for Consensus believes it is critical that agreement should first be reached on the framework for further consultations and intergovernmental negotiations. Meanwhile, it is our understanding that there will be no unilateral proposal or initiative. To this end, I enclose for your consideration a paper aimed at facilitating agreement on such a framework (see enclosure).

We feel that your task force, with the assistance, if deemed appropriate, of the facilitators who had worked on the two reports at the sixty-first session of the General Assembly, should undertake the formulation of such a framework. Once such a framework is established, the joint venture for Security Council reform can be launched and you may rest assured that Uniting for Consensus would be prepared to enter into the process of identifying the negotiables and drafting a paper that could serve as the basis for negotiations and general agreement on the issue of Security Council reform.

(*Signed*) Marcello **Spatafora**
Permanent Representative of Italy to the United Nations

* On behalf of the States Members of the United Nations that are members of Uniting for Consensus.

Enclosure

Framework for further consultations/negotiations

1. Objective. To reach general agreement on an intermediate solution to Security Council reform on the basis of the variations outlined in the report of the facilitators to the General Assembly at its sixty-first session,[a] and encompassing both the enlargement and working methods of the Council, without prejudice to the declared positions of all States/groups.

2. Modality. Transparent and open consultations and intergovernmental negotiations within the Open-ended Working Group to achieve a general agreement. No unilateral initiatives or action outside the Working Group.

3. Next steps. Further informal consultations:

(a) Identify negotiables;

(b) Elaborate a paper to serve as a basis for intergovernmental negotiations.

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[a] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 47* (A/61/47), annex II, sect. II, "Notions on the way forward", para. 9:

"9. As regards categories, the transitional approach, without prejudice to the prospect of creating new permanent seats, could explore the creation of new non permanent seats as well as an intermediate category. Member States may wish to consider, inter alia, the following variations on an intermediate category:

- Extended seats that could be allocated for the full duration of the intermediary arrangement, including the possibility of recall.
- Extended seats, which would be for a longer period than the regular two-year term, but with the possibility of re-election. The length of the terms as well as the re-election modalities should be decided in negotiations.
- Extended seats, which would be for a longer period than the regular two-year term, but without the possibility of re-election. The length of the term should be decided in the negotiations.
- Non-permanent two-year seats with the possibility of immediate re-election."

3. Letter dated 20 March 2008 from the Permanent Representative of Cyprus to the United Nations* addressed to the President of the General Assembly

Following the meeting in December 2007, of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council, you requested the membership to establish an overarching process in order to produce a draft text that could form the basis for negotiations to reform the Security Council. We very much concurred with you at that time, as we do now, that a concrete draft proposal is necessary for Member States to engage in negotiation and for the negotiation itself to be focused and result-oriented. Moreover, we have noted that the membership is, in principle, amenable to advancing to the next stage of the process, which is intergovernmental negotiations.

In the period that followed the last meeting of the Working Group, a group of drafters, acting in their personal capacity, have attempted to produce a draft that identifies the negotiable in a single draft proposal to enable the Member States to negotiate on that basis. Concurrently, an overarching group, comprised of a number of Member States from all regions and stakeholder groups, was established to exchange views and its input allowed the drafters to produce a draft of a wide and diverse nature.

The draft (see enclosure), was never intended to be an exhaustive compilation of all ideas and positions put forward thus far. Rather, its objective was to reflect those elements that require negotiations, on the basis of pragmatism and feasibility. At the same time, the intention was to build on the report of the facilitators and other progress achieved during the sixty-first session of the General Assembly and to give a sense of direction for the future.

We consider that all groups of States should be able to recognize some of their core positions in the draft. As for those elements of their position that are not reflected therein, I should like to stress that these are not considered non-legitimate or void, or that the positions and concerns of Member States and of regional groups have been disregarded. We are cognizant that these are retained by their proponents and that they have the right to pursue them in any negotiation. It should be noted that the enclosure attempts to clarify the context in which this effort has been made before proceeding to outline any suggested elements.

In attempting to identify the negotiables for reform (indicated through brackets in the draft), it has not been the intention of the drafters to prejudice the outcome of a possible negotiation or to pre-empt the engagement of anyone in the process. We are convinced that the enclosed draft can be tolerated by everyone to the extent that it could form a basis for negotiations without preconditions. We were reassured in this conviction when the draft was presented to a number of States participating in the overarching group referred to above.

* On behalf of the States Members of the United Nations that are members of the Overarching Group.

It is also our hope that the proposal will be found useful in determining the shape and form that this process will take from now on. It has been our experience that the traditional United Nations method of conducting negotiations in various configurations, both formal and informal, as required, would be the best way to achieve a compromise.

I am at your disposal for any further clarifications that might be needed, as well as to discuss the issue with you more generally.

(*Signed*) Andreas D. **Marvoyiannis**
Permanent Representative of Cyprus to the United Nations

Enclosure

Introduction

Since 2005, the main claims regarding the enlargement of the Security Council could be broadly represented as follows: adding permanent members with veto; adding new permanent members without veto; and adding seats for more non-permanent members. These positions have not proved reconcilable thus far and have warranted alternative thinking, which began to be elaborated by the five facilitators appointed by the President of the General Assembly at its sixty-first session, through their report of 20 April 2007. While the legitimate positions officially tabled in 2005 are retained by their proponents, their lack of potential for realization at this juncture points to an apparent willingness to negotiate on the basis of achieving intermediate reform, through the identification of the highest common denominator at this stage.

Affording serious consideration to this emerging approach neither amounts to nor entails relinquishing any claims. Rather, its attempt is to improve current representation on the Security Council, without sacrificing, but ideally improving, its effectiveness. As such, for the purpose of achieving such intermediate reform, the scope of the negotiations would be narrower, focusing on points of convergence in the short-term rather than divisive elements. By engaging in negotiations to determine what is feasible in terms of Security Council reform, States are not bound by any outcome, nor does their involvement imply that the parameters of those negotiations represent, at any time, their ideal or preferred reform. What is sought at this point is an inclusive negotiation in good faith in order to achieve progress.

Elements for Security Council enlargement

1. The Security Council shall be enlarged to [22] members.

2. Of the seven new seats:

(a) Two will be allocated to States Members of the African Group, and two will be allocated to States Members of the Asian Group;

(b) One will be allocated to States Members of the Latin American and Caribbean Group;

(c) One will be allocated to States Member of the Western European and Others Group;

(d) One will be allocated to States Member of the Eastern European Group.

3. The election of Member States in all new seats would be subject to regular election procedures by two-thirds majority at the General Assembly in accordance with Article 18 of the Charter of the United Nations.

4.1 [The seats allocated under subparagraphs [(a)-(d)] [(a)-(e)] of paragraph 2 above could; in principle, be filled by the Member States elected thereon, for the entire duration of intermediate reform.][a]

4.2.1 [However, at [five-year] intervals, any Member State may challenge the incumbent(s) [from its own regional group] that is (are) serving in long-term seat(s).

[a] Options 4.1, 4.3, 4.4 and 4.5 are mutually exclusive.

If this challenge is backed [by the majority of the members of that regional group, and subsequently] by a [simple] majority in the General Assembly, the seat(s) will reopen to election and all members of that regional group, including the incumbent(s), shall be eligible.][b]

or

4.2.2 [However, at [five-year] intervals, any Member State may challenge the incumbent(s) [from its own regional group] that is (are) serving in long-term seat(s) under paragraph 4.1. In such an event, the seat(s) will reopen to election and all members of that regional group, including the incumbent(s), shall be eligible.][a]

4.3 [Member States elected under paragraph 2 (a)-(d) above shall be permanent members of the Security Council.][a]

4.4 [Member States elected to fill those seats will be able to serve for a [five] year period and [be eligible for re-election] [not be eligible for re-election].][a]

4.5 [Member States elected to fill these seats will be able to serve for a two-year period and [be eligible for re-election] [not be eligible for re-election].][a]

5. [The seat allocated under paragraph 2 (e) will be a regular two-year non-permanent seat.]

6. [At least half of the total number of seats of each regional group after enlargement (excluding the five permanent members of the Security Council) will continue to be regular two-year non-permanent seats.]

7. Reform should include mandatory review after a fixed period of time, the exact duration of which must be determined before the reform comes into force and will form an integral part of the reform package. A mandatory review conference to consider the provisions set out above will take place [15 years] after these provisions have entered into force. These provisions will remain in place until a decision amending them has come into force. The provisions are without prejudice to the process leading up to, the negotiations during, or the decisions made at the review conference.

Elements for working methods

In addition to enlargement, and regardless of the timeline for the ratification of relevant amendments to the Charter that would be necessary for it, the General Assembly could simultaneously recommend concrete improvements on the working methods of the Security Council, including implementation of those contained in S/2006/507. We might, at that time, proceed to de-link the two processes. Such measures include:

(a) Making available at all times information regarding the Council's meeting schedule;

(b) Designating a contact point for providing information on the work of the Council to delegations of Member States not members of the Council;

(c) Consulting with the Member State(s) directly affected by an item under examination;

[b] Options 4.2.1 and 4.2.2 are mutually exclusive and apply only with respect to option 4.1.

(d) Explaining one's vote in cases where there is no unanimity, and especially when a negative vote has been cast by a permanent member of the Security Council;

(e) Conducting as many of the Council's proceedings as possible in an open format and establishing mechanisms for receiving the input of Member States that are not members of the Council;

(f) Appealing to permanent members of the Security Council to ascertain that war crimes, genocide, and crimes against humanity would not be committed and that other irremediable negative developments would not occur as a result of blocking Security Council action,

(g) Consistent implementation of the possibility to include non-Council members in the deliberations of the Council when these concern those Member States (articles 31 and 32 of the Charter);

(h) More structural consultation with Member States when the Security Council discusses resolutions that require implementation by the Member States. Although the recommendations are non-binding, such consultations should be obligatory. This concerns in particular the work of the subsidiary organs of the Council;

(i) Expanding consultation and cooperation with regional organizations and countries in the region, not only in thematic, public meetings, but also in private meetings;

(j) Consistent consultations with potential troop-contributing countries in the early phase of a new operation, and regular substantive meetings during ongoing operations. Troop-contributing countries should be invited to private meetings of the Security Council in which the mandate of a peacekeeping operation is discussed. Participation in the Security Council Working Group on Peacekeeping Operations should be open;

(k) Requiring a permanent member of the Security Council using its veto to explain the reason for doing so at the time the relevant draft resolution is rejected in the Council and to circulate a copy of the explanation as a Security Council document to all Members of the Organization.

B. Letter dated 9 April 2008 from the President of the General Assembly to all Permanent Missions and Permanent Observer Missions to the United Nations

Following my letter of 3 April regarding the meeting of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council to be held on Thursday, 10 April, I have the honour to forward to you an additional input that I have received in the meantime on this issue for your information.

(*Signed*) Srgjan **Kerim**

Letter dated 7 April 2008 from the Permanent Representative of Pakistan to the United Nations* addressed to the President of the General Assembly

On behalf of the States Members of the Organization of the Islamic Conference (OIC), I have the honour to convey our appreciation for your efforts, as the Chairman of the Open-ended Working Group, to promote our common objective of achieving general agreement on a comprehensive reform of the Security Council.

The position of OIC on this issue, which is of vital importance, is well known and has been declared recently at the eleventh session of the Islamic Summit Conference, held at Dakar, on 13 and 14 March 2008. The Conference, inter alia, reaffirmed its decision that any reform proposal that neglects the adequate representation of the Muslim Ummah in any category of membership in an expanded Security Council will not be acceptable to the Muslim world. The Conference also reaffirmed that efforts aimed at restructuring the Security Council should not be subjected to any artificial deadline and that a decision on this issue should be made by consensus.

In that regard, I am pleased to enclose the relevant section (paras. 71-73) of the final communiqué of the Dakar Summit and the resolution adopted by the Summit on the reform of the United Nations and expansion of the membership of the Security Council (see enclosures 1 and 2).

Assuring you and the members of the task force of our cooperation, the OIC members remain constructively engaged in our collective endeavour to achieve the widest possible agreement on a comprehensive reform of the Security Council that corresponds to the positions and interests of all Member States and Groups.

(*Signed*) Munir **Akram**
Permanent Representative of Pakistan to the United Nations

* On behalf of the States Members of the United Nations that are members of the Organization of the Islamic Conference.

Enclosure 1

Excerpts from the final communiqué of the eleventh session of the Islamic Summit Conference, held at Dakar on 13 and 14 March 2008

71. The Conference, by emphasizing the importance of establishing, maintaining, and strengthening close relations between the OIC international and regional organizations and groupings and affirming that a policy-oriented and effective cooperation between them would contribute positively to the realization of their respective objectives, requested the Secretary-General to continue his efforts to further improve OIC cooperation with international and regional organizations and groupings and conduct a study on the subject for submission to Member States so as to take necessary measures, accordingly. It also urged the various organs of the OIC system to take effective measures in order to broaden the scope of their cooperation with relevant international and regional organizations and groupings.

72. The Conference expressed full support and appreciation to the Secretary-General to continue with his ongoing efforts and laudable initiatives, to enhance the profile of OIC in the international arena by engaging with all stakeholders, including national governments and international organizations, particularly, the United Nations and its agencies, the African Union, the League of Arab States, the Association of Southeast Asian Nations, the European Union, the Organization of American States, the Organization for Security and Cooperation in Europe, the Council of Europe, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the World Trade Organization, and the Economic Cooperation Organization, in order to promote the General Secretariat of OIC as an effective partner in promoting international peace, security, and development as has been highlighted in the ten-year programme of action and also to engage with them to devise and implement specific programmes and projects within the priorities of the ten-year programme of action in line with the resolutions adopted by the organization.

73. The Conference reaffirmed its decision that any reform proposal which neglects the adequate representation of the Muslim Ummah in any category of membership in an expanded Security Council will not be acceptable to the Muslim world. The Conference requested the OIC open-ended Contact Group on United Nations Reform and Expansion of the Security Council at United Nations Headquarters to continue to closely coordinate the positions of the States members of OIC in order to promote the comprehensive reforms of the Security Council and to ensure the equitable representation of the OIC countries in all categories of the enlarged Security Council in proportion to their membership of the United Nations. The Conference reaffirmed that efforts at restructuring the Security Council should not be subject to any artificial deadline and that a decision on this issue should be made by consensus.

Enclosure 2

Resolution No. 11/11-P(IS) on reform of the United Nations and expansion of the membership of the Security Council

The Eleventh Session of the Islamic Summit Conference (Session of the Islamic Ummah in the 21st Century), held in Dakar, Republic of Senegal, from 6 to 7 Rabiul Awal 1429h (13-14 March 2008),

Recalling all Resolutions adopted by the Islamic Summit and Foreign Ministers Conference on the subject;

Also recalling previous OIC resolutions, in particular Resolution 17/34-P adopted at the Thirty-fourth Session of the ICFM in Islamabad from 15-17 May 2007;

Bearing in mind the provisions of paragraphs No. 115 to 121 of final communiqué of the Annual Coordination Meeting of the Ministers of Foreign Affairs of the OIC Member States at the United Nations Headquarters in New York on 2 October 2007;

Recalling also paragraphs 64 to 75 of the Final Document of XII NAM Summit in Durban adopted on 3 September 1998, the paragraphs related to the Security Council reform in the Declaration adopted at the thirty-second Session of the Summit of the Heads of State and Government of the Organization of African Unity, held in Harare in June 1997 as well as in the Working Paper of the Arab Group adopted by the Arab Foreign Ministers in New York on 29 September 1997;

Mindful of the objectives and principles enshrined in the Charter of the Organization of the Islamic Conference, especially the objectives of promoting Islamic solidarity among Member States and strengthening their capacity to safeguard their security, sovereignty and independence;

Reaffirming that the United Nations is an indispensable and irreplaceable global mechanism for the promotion of a shared vision of a more secure and prosperous world, and has the central role in the maintenance of international peace and security and the promotion of international cooperation;

Stressing the significant importance of multilateralism in addressing the common threats and challenges facing the common destiny of humankind in our increasingly interconnected and globalizing world;

Rejecting the dominant interventionist paradigm and tendencies which constitutes a real threat to the world community and maintenance of international peace and security;

Stressing that any reform of the United Nations, including Security Council reform, should be carried out in accordance with the provisions of the United Nations Charter;

Rejecting any preventive and pre-emptive action in international relations as a clear violation of international law;

Affirming also the importance of regular consultations with OIC Member States to advance their interests in this process;

Emphasizing the importance of transparency and all-inclusiveness of deliberations on United Nations reform;

Stressing that the OIC's demand for adequate representation in the Security Council is in keeping with the significant demographic and political weight of the OIC Member States, which bears particular importance, not only from the perspective of increased efficiency, but also to ensure the representation of the main forms of civilization in the Security Council;

Reaffirming its principled position that any reform of the Security Council must ensure adequate representation of the OIC Member States in any category of membership in an expanded Security Council;

1. *Affirms* the importance of the ongoing process of United Nations reform and stresses that the OIC Member States have a direct and vital interest in determining the outcome of United Nations reform, therefore calls on all OIC Member States to actively and effectively take part in the United Nations Security Council reform process, in accordance with the relevant declarations, statements and resolutions issued by the OIC.

2. *Notes* the progress in the United Nations reform process including in particular the establishment of the Peacebuilding Commission and the Human Rights Council and encourages the OIC Member States of these bodies to protect and promote the interests of the Islamic world in the work of these bodies.

3. *Reaffirms* the irreplaceable role of the United Nations and the necessity of ensuring the equal participation of all Member States in its activities, in a transparent and multilateral manner, guided by the United Nations Charter and founded on universally recognized principles.

4. *Underlines* the need, in United Nations reform, for evolving common perceptions and agreed approaches to address both the new and existing threats to international peace and security in the context of multilateralism.

5. *Stresses* that the United Nations Security Council reform must be comprehensive in all its aspects and have to take into account the views of its membership, including that of the OIC Member States.

6. *Emphasizes* the importance of enhancing the transparency, accountability, representativeness and democratization of the Security Council through the improvement of its working methods and legitimacy of its decision-making process.

7. *Supports* the expansion of the Security Council's membership, in accordance with the relevant United Nations General Assembly resolutions, sovereign equality of all States, equitable geographic distribution and adequate representation of major civilizations.

8. *Reiterates* the need for the full observance of the Charter of the United Nations and the unrestricted application of all the principles and the achievement of the purposes that it enshrines, and underscores the need to preserve and promote the centrality, inviolability and sanctity of the Charter's principles and purposes, in particular the principles of respect for the sovereignty, territorial integrity and non-interference in the internal affairs of other States, in any drive for the United Nations reform.

9. *Expresses its deep concern* that certain recommendations and concepts, such as the responsibility to protect, new interpretation of Article 51 of the United Nations Charter in terms of authorizing anticipatory attacks, lack of focus on nuclear disarmament as well as discriminatory restrictions on peaceful use of nuclear technology are inconsistent with the United Nations Charter, in contradiction with the provisions of international law and against the internationally recognized principles.

10. *Rejects* any recommendation or initiative, in the process of United Nations reform, which may, in one way or another, violate the principles and purposes of the United Nations Charter or contradict the Member States sovereignty, political independence and the principle of non-interference.

11. *Emphasizes* that the process of United Nations reform should evolve on the basis of all relevant inputs, particularly that of the OIC Member States' view points and concerns.

12. *Expresses* its deep concern that the issues pertaining to the threats of clash, militarism and the propensity to use force have to be assessed and properly addressed and emphasizes that in addressing a new consensus on collective security the concept of dialogue, particularly the need to the paradigm of "dialogue among civilizations", already approved by the United Nations General Assembly as the most efficient means to tackle the growing threat of clash, should be given the high priority.

13. *Emphasizes* the necessity of representation of major civilizations in the United Nations Security Council and, taking into account the fact that the OIC is the largest institution after the United Nations, which brings together one-fifth of the world population.

14. *Reaffirms* its decision that any reform proposal which neglects the adequate representation of the Islamic Ummah in any category of membership in an extended Security Council will not be acceptable to the Islamic World.

15. *Underlines* the significant importance of achieving the expansion of United Nations Security Council with the broadest possible agreement, through initiation of constructive negotiation between all United Nations Member States, based on the points of convergence such as the need to enlarge the Council, to increase the representation of developing countries, and to improve the working methods and transparency of the Council's work; and stresses in that regard the importance of further constructive consultations between all United Nations Member States to agree on a common basis and framework for further progress.

16. *Reiterates* that the United Nations Security Council should stick to its Charter-based mandate and refrain to address issues which do not fall within its function and powers, and opposes attempts by the Security Council against any State with the aim of achieving the political objectives of one or a few States, rather than in the general interest of the international community.

17. *Reaffirms* that both reform and expansion of the membership of the Security Council, including the question of the veto, should be considered as integral parts of a common package, taking into account the principle of sovereign equality of States and equitable geographical distribution.

18. *Further reaffirms* that efforts at the restructuring of the Security Council shall not be subjected to any artificial deadlines, and that a decision on this issue should be made by consensus.

19. *Reaffirms* the resolve of the Member States to continue contributing actively and constructively to the consideration of the United Nations reform.

20. *Requests* the OIC open-ended Contact Group on United Nations Reform and Expansion of the Security Council at the United Nations Headquarters in New York to continue to closely coordinate the positions of the OIC Member States promoting the comprehensive reform of the Security Council on the above basis and to ensure equitable representation for OIC countries in any category in the enlarged Security Council in proportion to their membership of the United Nations.

21. *Requests* the Secretary-General to submit a report thereon to the 12th Islamic Summit Conference.

C. Letter dated 13 June 2008 from the President of the General Assembly to all Permanent Missions and Permanent Observer Missions to the United Nations

I have the honour to forward you the attached letter by H.E. Abderrahim Ould Hadrami, Permanent Representative of the Islamic Republic of Mauritania on behalf of the League of Arab States. In this letter the League of Arab States requests that their position on the issue of Security Council reform should be considered as part and parcel of the letters addressed to me from the African Group, States Members of the Organization of Islamic Countries, States Members of the Uniting for Consensus Group and other letters and original positions concerning this matter in an equal footing.

(*Signed*) Srgjan **Kerim**

Letter dated 13 June 2008 from the Permanent Representative of Mauritania to the United Nations* addressed to the President of the General Assembly

1. I have the pleasure, in my capacity as the Chairman of the Arab Group for the month of June 2008, to express our appreciation for all the efforts you are exerting as President of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council, in order to build on the progress achieved during the sixty-first session of the General Assembly in accordance with General Assembly decision 61/561, adopted by consensus on 17 September 2007, and on the basis of the seven principles you proposed as pillars for our future work at the end of the debate on this matter in the General Assembly on 14 November 2007, which are totally supported by the Arab Group.

2. In this context, the Arab Group received your letter dated 11 June 2008 transmitting the report submitted from the Permanent Representatives of Bangladesh, Chili, Djibouti and Portugal in their capacity as the Vice-Chairpersons of the task force established to explore means of achieving the desired progress. However, the report did not incorporate any indication as to what has previously been requested by the Arab States, in the consecutive sessions of the Open-ended Working Group and stressed upon during the general debate upon this item in previous and current sessions of the General Assembly, of the necessity to guarantee a permanent Arab representation in any future expansion of the Security Council.

3. Accordingly, I address you today on behalf of the Arab States members of the League of Arab States, stressing that their legitimate demand outlined in the present letter should be considered as part and parcel of the letters addressed to you from the African Group, States members of the Organization of the Islamic Conference, States members of the Uniting for Consensus Group and other letters and original positions concerning this matter in an equal footing.

4. Moreover, the Arab Group looks forward to the distribution of the present letter to all Member States of the United Nations prior to the meeting of the Open-ended Working Group on 17 June 2008, and would highly appreciate if you could refer to it in your opening statement at the meeting, thus considering the letter a part and parcel of our future work to achieve the desired progress in this important subject.

(*Signed*) Abderrahim Ould **Hadrami**
Permanent Representative of the Islamic Republic
of Mauritania to the United Nations

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* On behalf of the States Members of the United Nations that are members of the League of Arab States.

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